

PCT/PTO 04 PR 2002

#5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Sakamoto et al.
Appl. No.: PCT/JP00/00035
Filed: January 7, 2000
Title: HEATER WIRE FOR DEVICE SUCH AS IMPULSE HEAT SEALER
Art Unit: Unknown
Examiner: Unknown
Docket No.: 112895-005

Commissioner for Patents
Washington, DC 20231

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Sir:

REMARKS

This response is in reply to the Notification of Missing Requirements mailed on February 5, 2002. The notification states that “[t]he number of claims in the International Application and the number of claims in the translation are not the same.” This statement appears to be an error. The number of claims in the International application and the number of claims in the English translation is five. We have attached a copy of the Preliminary Examination Report, the amended claims and an English translation of same.

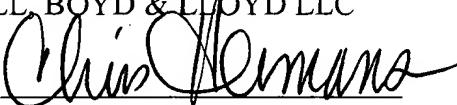
Additionally, we have attached new drawings, which have been properly translated, an executed Declaration and Power of Attorney and a verified statement claiming small entity status.

We believe that the submission of the above documents satisfies the Notification of Missing Requirements under 35 U.S.C. § 371. Therefore, we respectfully request that the Notification of Missing Requirements be withdrawn.

Respectfully submitted,

BELL BOYD & LLOYD LLC

BY


Christopher S. Hermanson
Reg. No. 48,244
P.O. Box 1135
Chicago, Illinois 60690-1135
Phone: (312) 807-4225

04/18/2002 UEDUVIJE 00000035 09980659

01 FC:254
02 FC:156

65.00 OP
130.00 OP



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box 6000
United States Patent and Trademark Office
Washington, D.C. 20591-6000
Telephone: (571) 272-1000
Fax: (571) 272-2000

U.S. APPLICATION NUMBER NO	FIRST NAMED APPLICANT	ATTY/律師 NAME
09/980,659	A Sakamoto	0112895-005

INTERNATIONAL APPLICATION NO

PCT/JP00/00035

IA. FILING DATE	PRIORITY DATE
01/17/2001	01/17/2001

Robert M Barrett
Bell Boyd & Lloyd
PO Box 1135
Chicago, IL 60690-1135

CONFIRMATION NO. 6654

371 FORMALITIES LETTER



OC00000007413627

Date Mailed: 02/05/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Request for Immediate Examination
- Small Entity Statement

RECEIVED
BELL, BOYD & LLOYD
INTELLECTUAL PROPERTY DOCKET

FEB 13 2002 ^{TK}
ATTY: EAL / RMB
DOCKET #: 112895-005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. The current translation of the application into English is defective as described below.
 - The text in the drawings has not been properly translated.
 - The number of claims in the International Application and the number of claims in the translation are not the same.
- Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 30 months from the priority date (37 CFR 1.492(f)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:

- is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

- \$65 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$195 for a Small Entity:

- \$65 Late oath or declaration Surcharge.
- \$130 for English translation surcharge required.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 305-3631

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY/REP FILED NO.
09/980,659	PCT/JP00/00035	0112895-005

FORM PCT/DO/EO/905 (371 Formalities Notice)

Rec'd PCT/PTO 04 APR 2002

FORM PTO-1390 (Modified) (REV 11-2000)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 112895-005
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 09/980,659
INTERNATIONAL APPLICATION NO. PCT/JP00/00035	INTERNATIONAL FILING DATE 7 January 2000	PRIORITY DATE CLAIMED 9 June 1999		
TITLE OF INVENTION HEATER WIRE FOR DEVICE SUCH AS IMPULSE SEALER				
APPLICANT(S) FOR DO/EO/US Sakamoto et al.				
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:				
<ol style="list-style-type: none"> 1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below. 4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c) (2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input checked="" type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). 10. <input checked="" type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)). 11. <input checked="" type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409). 12. <input type="checkbox"/> A copy of the International Search Report (PCT/ISA/210). 				
Items 13 to 20 below concern document(s) or information included:				
<ol style="list-style-type: none"> 13. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 14. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 15. <input type="checkbox"/> A FIRST preliminary amendment. 16. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 17. <input type="checkbox"/> A substitute specification. 18. <input type="checkbox"/> A change of power of attorney and/or address letter. 19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825. 20. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 21. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 22. <input checked="" type="checkbox"/> Certificate of Mailing by Express Mail 23. <input checked="" type="checkbox"/> Other items or information: Copy of Translated Drawings (2 sheets) Verified Statement Claiming Small Entity Status Return Receipt Postcard Express Mail Label No.: EL 727 382 418 US 				

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 09/980,659	INTERNATIONAL APPLICATION NO. PCT/JP00/00035	ATTORNEY'S DOCKET NUMBER 112895-005																											
24. The following fees are submitted: BASIC NATIONAL FEE																													
<table border="1"> <tr> <td><input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO</td> <td>\$1040.00</td> </tr> <tr> <td><input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO</td> <td>\$890.00</td> </tr> <tr> <td><input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO</td> <td>\$740.00</td> </tr> <tr> <td><input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4)</td> <td>\$710.00</td> </tr> <tr> <td><input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4)</td> <td>\$100.00</td> </tr> <tr> <td colspan="2">ENTER APPROPRIATE BASIC FEE AMOUNT =</td> </tr> <tr> <td colspan="2"></td> <td>\$0.00</td> </tr> </table>			<input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO	\$1040.00	<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO	\$890.00	<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO	\$740.00	<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4)	\$710.00	<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4)	\$100.00	ENTER APPROPRIATE BASIC FEE AMOUNT =				\$0.00												
<input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO	\$1040.00																												
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO	\$890.00																												
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO	\$740.00																												
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4)	\$710.00																												
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4)	\$100.00																												
ENTER APPROPRIATE BASIC FEE AMOUNT =																													
		\$0.00																											
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)).																													
<table border="1"> <tr> <td><input type="checkbox"/> 20</td> <td><input checked="" type="checkbox"/> 30</td> <td>\$130.00</td> </tr> <tr> <td>CLAIMS</td> <td>NUMBER FILED</td> <td>NUMBER EXTRA</td> <td>RATE</td> </tr> <tr> <td>Total claims</td> <td>- 20 =</td> <td>0</td> <td>x \$18.00</td> <td>\$0.00</td> </tr> <tr> <td>Independent claims</td> <td>- 3 =</td> <td>0</td> <td>x \$84.00</td> <td>\$0.00</td> </tr> <tr> <td colspan="2">Multiple Dependent Claims (check if applicable).</td> <td></td> <td><input type="checkbox"/></td> <td>\$0.00</td> </tr> <tr> <td colspan="2">TOTAL OF ABOVE CALCULATIONS</td> <td>=</td> <td colspan="2">\$130.00</td> </tr> </table>			<input type="checkbox"/> 20	<input checked="" type="checkbox"/> 30	\$130.00	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	- 20 =	0	x \$18.00	\$0.00	Independent claims	- 3 =	0	x \$84.00	\$0.00	Multiple Dependent Claims (check if applicable).			<input type="checkbox"/>	\$0.00	TOTAL OF ABOVE CALCULATIONS		=	\$130.00	
<input type="checkbox"/> 20	<input checked="" type="checkbox"/> 30	\$130.00																											
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE																										
Total claims	- 20 =	0	x \$18.00	\$0.00																									
Independent claims	- 3 =	0	x \$84.00	\$0.00																									
Multiple Dependent Claims (check if applicable).			<input type="checkbox"/>	\$0.00																									
TOTAL OF ABOVE CALCULATIONS		=	\$130.00																										
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27). The fees indicated above are reduced by 1/2.																													
<table border="1"> <tr> <td colspan="2">SUBTOTAL</td> <td>\$65.00</td> </tr> <tr> <td colspan="2">Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492 (f)).</td> <td><input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 + \$130.00</td> </tr> <tr> <td colspan="2">TOTAL NATIONAL FEE</td> <td>\$195.00</td> </tr> <tr> <td colspan="2">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).</td> <td><input type="checkbox"/> \$0.00</td> </tr> <tr> <td colspan="2">TOTAL FEES ENCLOSED</td> <td>\$195.00</td> </tr> <tr> <td colspan="2"></td> <td>Amount to be: refunded</td> <td>\$</td> </tr> <tr> <td colspan="2"></td> <td>charged</td> <td>\$</td> </tr> </table>			SUBTOTAL		\$65.00	Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492 (f)).		<input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 + \$130.00	TOTAL NATIONAL FEE		\$195.00	Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).		<input type="checkbox"/> \$0.00	TOTAL FEES ENCLOSED		\$195.00			Amount to be: refunded	\$			charged	\$				
SUBTOTAL		\$65.00																											
Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492 (f)).		<input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 + \$130.00																											
TOTAL NATIONAL FEE		\$195.00																											
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).		<input type="checkbox"/> \$0.00																											
TOTAL FEES ENCLOSED		\$195.00																											
		Amount to be: refunded	\$																										
		charged	\$																										
a. <input checked="" type="checkbox"/> A check in the amount of <u>\$195.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>02-1818</u> A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.																													
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.																													
SEND ALL CORRESPONDENCE TO:																													
Christopher S. Hermanson (48,244) ATTORNEYS FOR APPLICANTS Bell, Boyd & Lloyd LLC P.O. Box 1135 Chicago, Illinois 60690-1135																													
 SIGNATURE																													
Christopher S. Hermanson NAME 48,244 REGISTRATION NUMBER April 4, 2002 DATE																													